CHAPTER XX.

CONTROL.

Power to Government to provide for performance of duties in default of any municipal authority.

518. (*1*) If, upon complaint being made to him and after such inquiry as he thinks fit to make, it shall at any time appear to the Governor in Council that any of the provisions of sections 61, 62, [1] [62C, 62D, 89F], 134, 225, 434 and 438 have not been or are not being duly carried out or enforced, the Governor in Council may make an order prescribing a period within which such provision shall be carried out or enforced :

(*2*) Provided that, except in any case which appears to the Governor in Council to be one of emergency, no such order shall be made until after the expiry of one month from the date of service of a written notice on the corporation, and, if the Governor in Council shall think fit, on the Commissioner, requiring cause to be shown why such order should not be made, nor until the cause, if any, so shown has been considered by the Governor in Council.

(*3*) If, within the period prescribed in an order made under sub-section (*1*) the provision is not carried out or enforced the Governor in Council may appoint some person to carry out or enforce the same and may direct that the expense of carrying out or enforcing such provision, together with such reasonable remuneration to the person carrying out or enforcing the same as the Governor in Council shall determine and the cost of the proceedings under this section shall be paid out of the municipal fund.

Power to Government to enforce repair, etc., of Vehár water-works.

519. (*1*) If, from the report of any person appointed by Government under section 264 to inspect the Vehár water-works, it shall appear to Government that any portion of the said water-works is not in a sound and effective condition, Government may, by notice under the signature of a secretary to Government, require that the said portion of the said works be repaired, improved or otherwise rendered sound and effective, within a reasonable time to be prescribed in the notice.

(*2*) The said notice shall be addressed to the corporation and to the Commissioner, and it shall be incumbent on the corporation and on the Commissioner, within the limits of their respective powers, to give effect thereto. If effect be not given thereto, Government may cause the required work to be done and may direct that the expenses thereof shall be paid by the Commissioner.

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[1] These figures and letters were inserted by s. 21 of the City of Bombay Police Charges Act, 1907 (Bom. Act 3 of 1907), Vol. IV of this Code.

Expenses of measures enforced under sections 518 and 519 how to be recovered.

520. (*1*) When any such order as is mentioned in sub-section (*3*) of section 518, or in sub-sectioon (*2*) of section 519 shall have been made, the corporation shall cause to be paid to Government the sum or sums of money of which payment shall from time to time be required, in pursuance of the said order, in any requisition signed by a secretary to Government.

(*2*) And if, within fourteen days from the delivery of any such requisition, the same is not complied with, Government may, by a written order signed by one of their secretaries, authorize and direct some person to receive from the bank in which the municipal fund is lodged the sum or sums mentioned in the said order.

(*3*) The said bank shall, upon production of the said written order, forthwith pay the said sum or sums to the person therein authorized to receive the same, and the said written order shall be a sufficient discharge to the said bank from all liability to the corporation in respect of any sum or sums so paid by it out of the municipal fund.

CHAPTER XXI.

Supplemental Provisions.

Councillors, etc., to be deemed to be public servants.

521. The Commissioner and Deputy Commissioner and every councillor and every municipal officer or servant appointed under this Act, and every contractor or agent for the collection of any municipal tax, and every servant or other person employed by any such contractor or agent, shall be deemed to be a public servant within the meaning of section 21 of the [1] Indian Penal Code.

XLV of 1860.

Co-operation of Police.

522. (*1*) The police commissioner shall, as far as may be, co-operate, by himself and through his subordinates, with the Commissioner for carrying into effect and enforcing the provisions of this Act and for the maintenance of good order in the city.

(*2*) It shall be the duty of every police officer in the city to communicate without delay to the proper municipal officer any information which he receives of a design to commit or of the commission of any offence against this Act, or against any regulation or by-law made under this Act, and to assist the Commissioner or any municipal officer or servant, reasonably demanding his aid for the lawful exercise of any power vesting in the Commissioner or in such municipal officer or servant under this Act.

[1] General Acts, Vol. I.